

43. (Amended) The system according to claim 41, wherein the at least one target device is controlled automatically as a function of the associated command signal and without user intervention while the output device provides the output.

44. (Amended) The system according to claim 41, wherein the output device and the at least one target device are separate devices.

#### REMARKS

Claims 2-16, 18-27, 29-36, 38 and 41-48 are pending in the present application. Claims 42-44 have been amended to address certain informalities. No new issues are raised by the amendment to claims 42-44. Entry of the amendment and reconsideration of the present application is requested.

#### **I. REJECTION OF CLAIMS 41, 2-15, 43, 44, 27, 29-33, 38 AND 45-48 UNDER 35 U.S.C. § 112, FIRST PARAGRAPH**

Claims 41, 2-15, 43, 44, 27, 29-33 and 38 stand rejected under 35 U.S.C. § 112, first paragraph. In particular, the Examiner believes that the subject matter of these claims was not described in the Specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

#### **Claims 41, 27, 38 and 45**

As regards claims 41, 27, 38 and 45, the Examiner apparently believes that "a command device generating a command signal **associated** with the data signal" (claim 41), and language similar thereto (claims 27, 38 and 45) was not described in the Specification as filed. Applicants respectfully disagree with the Examiner.

Respectfully, the specification as filed describes several examples of this feature. In one example embodiment, described in the Specification on page 5, starting at line 3,

the command signal is at least logically associated with the data signal. In this example, the command signal is used to control a home appliance while the data signal (to which it is associated) is output. As set forth in the Specification, **the data signal may display a TV program on a television while the command signal controls an intensity of the lights in the room in which the TV is being viewed.** Thus, the lights may be dimmed or brightened at selected times **during** the TV program. Accordingly, the command signal is at least logically associated with the data signal.

In another example embodiment described in the specification, the command signal is at least physically associated (e.g., via a pointer) with the data signal. In particular, in one example described in the Specification starting at page 5, line 16, the command signal is transmitted separately from the data packets. The command packets include a second pointer which points to a **corresponding** data packet. In yet another embodiment, the command signal is transmitted **with** the data packets.

### **Claim 13**

As regards claim 13, the Examiner apparently believes that the Specification, as filed, does not describe "a transmitter coupled to the modulator and transmitting the transmission signal, wherein data in the command signal and data in the data signal are **linked** so that when the data is used at a receiving end of the transmission signal, the at least one target device is controlled as a function of the command signal while the output device at the receiving end provides an output as a function of the data signal." Applicants respectfully disagree with the Examiner.

Respectfully, the Specification, as filed, describes several examples of this feature. In one example embodiment, described in the Specification on page 5, starting at line 3, the command signal is at least logically linked with the data signal. In this example, the command signal is used to

control a home appliance while the data signal (to which it is associated) is output. As set forth in the Specification, **the data signal may display a TV program** on a television **while the command signal controls an intensity of the lights in the room in which the TV is being viewed**. Thus, the lights may be dimmed or brightened at selected times **during** the TV program. Accordingly, the command signal is at least logically linked with the data signal.

In another example embodiment described in the specification, the command signal is at least physically linked (e.g., via a pointer) with the data signal. In particular, in one example described in the Specification starting at page 5, line 16, the command signal is transmitted separately from the data packets. The command packets include a second pointer which points to a **corresponding** data packet. In yet another embodiment, the command signal is transmitted **with** the data packets.

In conclusion, it is submitted that the Specification, as filed, describes several examples of command signals associated/linked with data signals. The rejection of claims 41, 2-15, 43, 44, 27, 29-33, 38 and 45-48 under 35 U.S.C. § 112, first paragraph, should therefore be withdrawn.

## **II. CLAIM OBJECTIONS**

The Examiner has objected to claims 12, 43 and 44 because the Examiner believes that they depend on canceled, independent claim 1. Claim 12 has been canceled, without prejudice. Claims 42-44 have been amended to depend from claim 41.

As regards the numbering of the claims, Applicants note with appreciation the Examiner's renumbering of the claims.

## **III. REJECTION OF CLAIMS 16, 18-26 and 34-36 UNDER 35 U.S.C. § 102(b)**

Claims 16, 18-26 and 34-36 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,057,874 to Michaud (the "Michaud patent"). It is respectfully submitted that Michaud does not anticipate any of claims 16, 18-26 and 34-36, for at least the following reasons.

The Michaud patent purportedly relates to an infrared blaster control system for cable television networks, in which selective VCR control codes are transmitted from a headend to a user's settop terminal. These VCR control codes, which are generated only in accordance with particular types of VCRs, are stored within the settop terminal, so that the settop terminal may properly control a VCR in response to signals transmitted by an infrared remote control.

Claim 16 recites the following:

16. A control device of a system, the system controlling at least one target device, comprising:  
a receiver receiving a transmission signal;  
a demodulator extracting a first signal and a second signal from the transmission signal;  
a command decoder decoding the first signal into the command signal;  
a data decoder decoding a data signal from the second signal; and  
a data transmitter receiving the data signal and providing the data signal to an output device;  
wherein the at least one target device is controlled as a function of the command signal while an output device provides an output as a function of the data signal.

Claims 18-26 depend from claim 16. As discussed above, in the Michaud patent, the VCR codes are received and stored in a settop box. These VCR codes are not used to control a target device **while** an output device provides an output (e.g., the television) as a function of the program within which the VCR codes are sent. Accordingly, the Michaud patent does not described "wherein the at least one target device is controlled as a function of the command signal while an output device provides an output as a function of the data signal," as recited in claim 16. (Applicants further note that the dictionary definition of "while" is "during the time that" or "at the same time as". (See, e.g., <http://dictionary.cambridge.org> ).

Claim 34 recites the following:

34. A method for controlling at least one target device, comprising:

- (a) obtaining a first address and a second address from a first device;
- (b) providing the first and second addresses to a command device;
- (c) providing a message, located at the first address to the first device using the command device, the message including the second address;
- (d) transmitting the message, located at the first address, to a second device;
- (e) extracting the second address from the message using the second device;
- (f) storing the second address using a memory unit;
- (g) providing a command signal and a data signal to the first device;
- (h) transmitting the command signal, located at the second address, to the second device;
- (i) controlling the at least one target device using the command signal;
- (j) transmitting the data signal to the second device;
- (k) providing the data signal to an output device by the second device;
- (l) providing by the output device an output as a function of the data signal while the at least one target device is controlled using the command signal.

Claims 35 and 36 depend from claim 34.

As discussed above, in the Michaud patent, the transmitted VCR codes appear to be independent from the programs. Accordingly, the Michaud patent does not describe an output device providing an output as a function of a data signal **while** the VCR is controlled using VCR codes using commands associated with the data signal (see, e.g., step (j)) of claim 34).

In view of the foregoing, it is respectfully submitted that the Michaud patent does not anticipate any of claims 16, 18-26 and 34-36. Withdrawal of the rejection of claims 16, 18-26 and 34-36 is, therefore, requested.

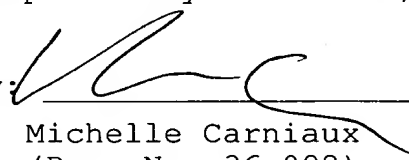
#### IV. CONCLUSION

In light of at least the foregoing, Applicants respectfully submit that all pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

The Examiner is invited to contact the below-named attorney at 212-908-6036 for any further issues in connection with the present application.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Please cancel claim 12, without prejudice.

Please amend the claims as follows:

42. (Amended) The system according to claim [1] 41, wherein the data signal includes particular content, and the associated command signal is associated with the particular content and wherein the output device renders the particular content while the at least one target device is controlled as a function of the associated command signal, and wherein the particular content includes at least one of audio data and video data.

43. (Amended) The system according to claim [1] 41, wherein the at least one target device is controlled automatically as a function of the associated command signal and without user intervention while the output device provides the output.

44. (Amended) The system according to claim [1] 41, wherein the output device and the at least one target device are separate devices.